

## **EXHIBIT A**

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

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4 MUTINTA MICHELO, KATHERINE SEAMAN, and  
5 MARY RE SEAMAN, individually and on  
6 Behalf of all others similarly situated,

7  
8 Plaintiff,

9  
10 Index no. 18-cv-1781 (PGG)

11  
12 v.

13 NATIONAL COLLEGIATE STUDENT LOAN TRUST  
14 2007-2; NATIONAL COLLEGIATE STUDENT LOAN  
15 TRUST 2007-3; TRANSWORLD SYSTEMS, INC.,  
16 in its own right and as successor to NCO  
17 FINANCIAL SYSTEMS, INC.; EGS FINANCIAL  
18 CARE INC., formerly known as NCO  
19 FINANCIAL SYSTEMS, INC.; and  
20 FORSTER & GARBUS LLP,  
21

22 Defendants.  
23 -----X

24 CHRISTINA BIFULCO, FRANCIS BUTRY, and  
25 CORI FRAUENHOFER, individually and on  
Behalf of all others similarly situated,

Plaintiffs,

Index no. 18-cv-7692 (PGG)

v.

NATIONAL COLLEGIATE STUDENT LOAN TRUST  
2004-2; NATIONAL COLLEGIATE STUDENT LOAN  
TRUST 2006-4; TRANSWORLD SYSTEMS, INC.,  
in its own right and as successor to NCO  
FINANCIAL SYSTEMS, INC; EGS FINANCIAL  
CARE INC., formerly known as NCO  
FINANCIAL SYSTEMS, INC.; and  
FORSTER & GARBUS LLP,

Defendants.  
-----X

DEPOSITION OF KATHERINE SEAMAN

September 16, 2020

1 DATE: SEPTEMBER 16, 2020

2 TIME: 10:02 a.m.

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5 Deposition of KATHERINE SEAMAN,

6 held REMOTELY, before CANDIDA BORRIELLO,

7 Certified Court Reporter and Notary Public

8 of the State of New York.

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K. Seaman  
for a legal conclusion by an  
unqualified witness.

A. Repeat your question, please.

Q. Do you recall being served with the  
State Court collection lawsuit?

A. I don't recall.

Q. And did your mother ever tell you  
that she had been served with the State Court  
collection lawsuit?

MR. HAWKINS: Same objection as  
before.

Go ahead.

A. I don't recall.

Q. Do you recall the first time you  
spoke with your mother about the State Court  
collection lawsuit?

A. I don't recall.

Q. Did you speak with your mother  
about the State Court collection lawsuit?

A. I don't recall.

Q. And you were living with your  
mother -- you were living with your parents at  
the Middle Village address at that time,  
correct, in 2014?

A. Correct.

1 K. Seaman  
2 wants me to we will, but again, you received  
3 certain communications from my client in 2014  
4 and 2015. What, if anything, confused you in  
5 2014 and 2015 with regard to anything you  
6 received?

7 You know what, let me withdraw the  
8 question. That was improperly formed.

9 In 2014 and 2015, what, if  
10 anything, confused you, by anything that my  
11 client communicated to you?

12 A. I don't really remember.

13 Q. Is there anything in your  
14 possession, custody, or control that would  
15 refresh your recollection?

16 A. No.

17 Q. If I gave you all the time in the  
18 world to think about it, do you think that  
19 time would refresh your recollection?

20 A. No.

21 Q. So, it is possible, would you agree  
22 with me, Ms. Seaman, that nothing that my  
23 client communicated to you confused you?

24 MR. HAWKINS: Objection. Calls  
25 for speculation.

Q. Okay.

K. Seaman

1           A.   Possible, yes, but I don't  
2   remember.

3           Q.   Now, there was some testimony, I  
4   believe it was with regard to counsel's  
5   questioning, I forget which counsel,  
6   concerning something -- some information from  
7   the government that lead you to believe that  
8   something -- something wrong was done to you.

9           Do you recall that testimony?

10          A.   Yes.

11          Q.   What precisely did you learn from  
12   the government that you were referencing in  
13   your prior answer?

14          A.   That's something I would've spoken  
15   to my attorney about.

16          Q.   I'm not asking you to tell me what  
17   you spoke to your attorney about, I'm asking  
18   you, what did you -- what communication are  
19   you referring to?

20          A.   That's something I would've spoken  
21   to my attorney about.

22               MR. NOVIKOFF:  Counsel, please  
23   instruct your client this is not  
24   attorney-client privilege.

25               MR. HAWKINS:  I'm not sure I